

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MOSES BURRELL,

Defendant.

Case No. 5:25-po-00106-CDB

CVB Violation 09887804 / CA14

**ORDER GRANTING MOTION TO AMEND
CITATION**

(Doc. 12)

ORDER TO REFUND OVERPAYMENT

Defendant Moses Burrell was issued Violation Notice 09887804 with a total collateral due of \$130.00. *See* (Doc. 12). On May 14, 2025, a hearing was set as to this citation and the total collateral reflected on the filed version of citation was \$230.00. Counsel for Plaintiff United States of America attests that this discrepancy occurred when, after issuance to Defendant, “the citation was improperly amended” by a supervisor of the citing officer. *See* (Doc. 10 at ¶¶ 8, 9). Defendant paid the original collateral amount of \$130.00 on May 14, 2025; however, this payment did not operate to close the case since there was a remaining balance of \$100.00. Further, when Defendant failed to appear on June 3, 2025, for his duly noticed initial appearance, the Court issued an arrest warrant and a failure to appear fine in the amount of \$100.00 for a total balance due of \$200.00 due to Defendant’s partial payment.

1 Based on the facts set forth above, the Court concludes that Defendant timely paid the
2 collateral (\$130.00) and should not have been subject to assessment of a failure-to-appear penalty.

3 Accordingly, for the reasons set forth above, it is HEREBY ORDERED:

- 4 1. The motion by the United States of America to amend Citation # 09887804 is GRANTED;
5 2. Citation # 09887804 is amended to reflect the listed total collateral amount of \$130.00; and
6 3. A refund shall be issued to Defendant in the amount of \$100.00.

7 IT IS SO ORDERED.

8 Dated: August 1, 2025


UNITED STATES MAGISTRATE JUDGE